

DAS/JPN  
F.# 2008R00006

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

**NOTICE OF MOTION**

- against -

Criminal Action  
No. 08-370 (JBW)

JULIAN TZOLOV,

Defendant,

- and -

DIMITRE IVANOV and  
KAMEN KIRIAKOV,

Sureties.

- - - - -X

PLEASE TAKE NOTICE that upon the annexed application of BENTON J. CAMPBELL, United States Attorney for the Eastern District of New York, by Assistant United States Attorney John P. Nowak, of counsel, before the Honorable Jack B. Weinstein, United States District Judge for the Eastern District of New York, on a date to be set by the Court, at the United States Courthouse, 225 Cadman Plaza East, Room 10A, Brooklyn, New York 11201, the United States will move for: an order (1) pursuant to Rule 46(f)(3) of the Federal Rules of Criminal Procedure, entering default judgment on the bail bond of JULIAN TZOLOV, against JULIAN TZOLOV as defendant, and DIMITRE IVANOV and KAMEN KIRIAKOV ("the SURETIES"), as sureties in the amount of Three Million Dollars (\$3,000,000.00); (2) pursuant to 18 United States Code Section 3146(d) and Rule 46(f)(1) of the Federal Rules of Criminal Procedure, forfeiting to the United States all rights, title and

interest in the premises and real property located at 225 Fifth Avenue, Apartment 9M, New York, New York 10012, owned by JULIAN TZOLOV ("the PROPERTY"), posted as security for JULIAN TZOLOV's bail bond; (3) directing the United States Marshal to place the United States of America in immediate peaceful and exclusive possession of the aforementioned Three Million Dollars; (4) directing the United States Marshal to place the United States of America in immediate peaceful and exclusive possession of the PROPERTY; and (5) appointing a Receiver ("the RECEIVER"), pursuant to Rule 69 of the Federal Rules of Civil Procedure and the laws of the State of New York, to take possession of and sell the PROPERTY and apply the sale proceeds in partial satisfaction of any prior liens and encumbrances and the judgment entered against JULIAN TZOLOV and the SURETIES.

Dated: Brooklyn, New York  
June 10, 2009

BENTON J. CAMPBELL  
United States Attorney  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201

By: \_\_\_\_\_/S/\_\_\_\_\_  
JOHN P. NOWAK  
Assistant U.S. Attorney  
(718) 254-6097

TO: JULIAN TZOLOV  
c/o Benjamin Brafman, Esq.  
767 Third Avenue, 26<sup>th</sup> Floor  
New York, NY 10017

DIMITRE IVANOV  
c/o Sean P. Casey, Esq.

Mayer Brown LLP  
1675 Broadway  
New York, NY 10019

KAMEN KIRIAKOV  
19214 East Country Club Drive  
Aventura, FL 33180

Clerk of the Court